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Application DENIED.

March 22, 2024

The Clerk of Court is directed to terminate ECF No. 240.

Via ECF

SO ORDERED.

The Honorable Jennifer H. Rearden
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007



Jennifer H. Rearden

Jennifer H. Rearden, U.S.D.J.
Date: March 25, 2024

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Re: *United States v. Martin Handler, 23 Cr. 004 (JHR)*

Dear Judge Rearden:

We respectfully request permission for Mr. Handler to travel to Israel to visit his father's grave and to see his youngest son, who is currently studying in Israel and will not return to the United States before Mr. Handler's sentencing. We understand that the Court may have concerns about allowing a defendant to travel after pleading guilty and before sentencing, but we believe those concerns can be minimized here. Mr. Handler would propose to leave New York for no more than 48 hours. His wife and other children would hand in their own passports before his trip and remain in New York until his return.

As the Court will recall, Mr. Handler's father passed away on September 29, 2023. That same day, Mr. Handler requested permission to travel to Israel for the funeral and burial. Dkt. 146. The government objected. Dkt. 148. The Court granted the request later that day. Dkt. 150. Unfortunately, because Jewish tradition requires burial to occur as soon as possible after death (often the very next day), Mr. Handler was unable to make travel arrangements in time. Accordingly, he missed the funeral and burial.

On October 4, Mr. Handler requested permission to travel to Israel to attend the memorial service and tombstone unveiling for his father, another Jewish tradition, which was scheduled to occur on October 16. Dkt. 152. The government maintained its objection for the reasons set forth in its prior submission. *See id.* (noting the government's position). On October 6, the Court denied the request without prejudice to renew the application upon the provision of additional information and proposed temporary enhancements to Mr. Handler's bail conditions. Dkt. 153. The very next day, October 7, war broke out in Israel. On October 12, the Court issued an order denying the request with prejudice, citing the war and "challenges associated with outbound travel." Dkt. 156. On December 19, Mr. Handler again requested permission to travel to Israel for his father's memorial. Dkt. 187. On December 21, the Court denied that request "due to the ongoing 'unpredictable' situation in Israel." Dkt. 188.

The political situation in Israel has now greatly improved. Currently, a number of airlines are regularly flying between Tel Aviv and New York, including El Al and United Airlines. As set forth in previous submissions, Mr. Handler is not a flight risk. His home, businesses, family and



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community are all in New York. He does not have Israeli citizenship. Mr. Handler's wife and children propose to surrender their passports for the duration of his trip. Mr. Handler will also post a property located at 2310 65th Street, IA, Brooklyn, NY 11204, as an additional bond, and any other security that the Court requires.

To avoid scheduling difficulties, we respectfully request that the Court approve this request before Mr. Handler reserves the tickets. As is customary with international travel, Pretrial Services take no position on this request. Nonetheless, they have informed us that Mr. Handler has been compliant with the conditions of his pretrial release. We have also conferred with the government, who informed us that it opposes the request.

Mr. Handler thanks the Court for its consideration and is prepared to provide any additional information that may be helpful.

Respectfully submitted,

/s/ Mark Harris
Mark Harris
Hadassa Waxman
Counsel to Martin Handler

cc: Daniel Wolf, AUSA
Catherine Ghosh, AUSA
Megan Henriquez, USPO